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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixtieth year

Identical letters dated 18 January 2005 from the Chargé d'affaires, a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The situation in the occupied Palestinian territory, including East Jerusalem, continues to be marred by instability, escalating tensions and violence. The humanitarian hardships being borne by the Palestinian people as a result continue to rise as Israel, the occupying Power, continues to wage its military campaign in the occupied territory, killing and wounding civilians, destroying property and relentlessly imposing collective punishments on the entire Palestinian civilian population. As reflected in the annexed list of Palestinian martyrs killed over the past two weeks, which tragically includes women and children, there is hardly a single day that passes in which a Palestinian life is not taken by the Israeli occupying forces. Indeed, despite current developments widely believed to herald positive changes in the situation on the ground, the occupying Power continues to commit systematic human rights violations, State terrorism and even war crimes against the Palestinian people under its occupation.

In this regard, in both words and deeds, Israel, the occupying Power, continues to undermine the prospects for a return to dialogue and a calming of the situation on the ground, instead persisting with its unlawful policies and practices against the civilian population. While the recent successful conclusion of the Palestinian elections on 9 January 2005, in which Mahmoud Abbas was elected President of the Palestinian Authority, have increased optimism regarding a resumption of peace negotiations between the two sides, the occupying Power's actions and threats are in total contradiction to the requirements for such a resumption to become a reality. In fact, recent statements made by the Israeli Prime Minister and other Israeli officials reveal Israel's intentions to continue its violent military campaign in the occupied Palestinian territory. On Sunday, Prime Minister Sharon bluntly stated that the occupying forces "have been instructed to step up operational activity against terrorism and they will continue to do so without restrictions — I emphasize,

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without restrictions". Moreover, as widely reported, the Prime Minister has ordered the preparation of plans for a large-scale military invasion in the Gaza Strip.

As in the past, Israel, the occupying Power, is choosing force and its military might rather than dialogue and a peace process as its means of dealing with the Palestinian people and their leadership. The Israeli occupying forces continue to raid and launch military attacks against civilian areas and continue to impose severe collective punishments on the population, including closures and other restrictions on movement throughout the occupied Palestinian territory. The situation in the Gaza Strip, in particular, continues to be critical. The majority of civilians killed in recent weeks were killed by the occupying forces in the Gaza Strip. On Saturday, 15 January 2005, the occupying forces committed the wilful killing of a Palestinian man, Nidal Abu Tyour, 22 years old, by sniper fire and then directly shot at and killed a 15 year-old boy, Hazem Talaat Al-Hout, as he tried to help Abu Tyour. The recent killings also included the killing of a mother and her son, Fadda Attiya Abu Arram, age 45, and Abdullah Abu Arram, age 28, and the wounding of the father and another son in Khan Younis on Sunday, 16 January 2005, as they tried to escape their home, which had been hit by Israeli tank shells and then came under attack by the occupying forces.

The humanitarian situation also continues to worsen as the occupying Power has taken measures to completely "seal off" the Gaza Strip. The Israeli occupying forces have closed all border crossings into and out of Gaza, imprisoning millions of civilians inside, many of whom are suffering from illnesses requiring medical treatment to which they have no access, and preventing the return of thousands to their homes in Gaza. Once again, for more than a month, thousands of Palestinian civilians, including children, women, the elderly and the ill, are trapped at the Rafah border, living under dire conditions as they await the occupying Power's opening of the border to allow them to return to their homes. Furthermore, the closure of the Karni crossing, through which all food and other goods enter Gaza, has led to a decrease in the food supply and other necessities for the population as it braces itself for another Israeli onslaught.

The ongoing situation in the occupied Palestinian territory, including East Jerusalem, as a result of such incessant violations by Israel, the occupying Power, of its legal obligations under international law, including, in particular, the Fourth Geneva Convention, is untenable. There can be no progress, either on the ground or in terms of a political dialogue, as long as the occupying Power continues to pursue its illegal policies and practices. Israel must abandon the military option and instead choose the peace option. Israel must cease all military attacks and incursions into Palestinian civilian areas, cease its practice of extrajudicial killings, cease all of its illegal colonization activities, including the building of the expansionist wall and its building of settlements, and must lift all restrictions on the freedom of movement of persons and goods, which not only have debilitated the Palestinian economy and society but also continue to seriously hinder the ability of the Palestinian leadership to carry out its duties and responsibilities. The international community must compel Israel to abide by international law and undertake efforts to assist the two sides to immediately resume peace negotiations towards the implementation of the road map and the realization of the two-State solution.

This letter is in follow-up to our previous 211 letters to you regarding the ongoing crisis in the occupied Palestinian territory, including East Jerusalem, since

28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 4 January 2005 (A/ES-10/293-S/2005/2) constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my profound regret to inform you that since our last letter to you, at least 34 more Palestinians, including women and children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,608. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Somaia **Barghouti**
Chargé d'affaires, a.i.

Annex to the letter dated 18 January 2005 from the Chargé d'affaires, a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the occupied Palestinian territory, including East Jerusalem* (Wednesday, 5 January, to Monday, 17 January 2005)

Wednesday, 5 January 2005

1. Amjed Khaled Mohammed Al-Najar (18 years old)
2. Fadi Za'al Sobhi Abu Qamar

Thursday, 6 January 2005

1. Mohannad Mahmoud Al-Lahham (18 years old)
2. Mohammed Sami Abu-Sel
3. Hamza Abdelmuoneim Jaber (9 years old)

Friday, 7 January 2005

Mohammed Basheer Ayad

Saturday, 8 January 2005

1. Mahmoud Yahya Al-Fara
2. Najah Mahmoud Zoarob (17 years old) (died from wounds sustained on 28 December 2004)

Tuesday, 11 January 2005

1. Sanad Ghonam Mostafa Kannouh
2. Khadra Khaled Marahil

Wednesday, 12 January 2005

1. Abdallah Youssef Mohammed Al-Dik
2. Wafy Asa'ad Othman Al-Shaibi
3. Shaker Jamal Jouda
4. Ala'a Hamdan El-Shaer

Thursday, 13 January 2005

1. Ala'a Hamdi Hassouna
2. Said Mohammed Abdelsalam

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 3,608.

Friday, 14 January 2005

1. Adel Yassin Sharaf (died from wounds sustained on 30 September 2004)
2. Omar Ramadan Al-Qrinawi (10 years old)
3. Mohannad Mohammed Abdelrahim Al-Mansi (17 years old)
4. Samir Mohammed Fares Joha (18 years old)
5. Mahmoud Majdi Mohammed Al-Masri
6. Mahmoud Hamed Al-Oustath

Saturday, 15 January 2005

1. Issa Abdelwahab Kishko
2. Yahya Farhan Abu Mohayssin
3. Abderrahman Mohammed Abdelrahim Al-Sewsi (18 years old)
4. Fawzi Hamdan Attiya Yassin
5. Nidal Abu Tyour
6. Hazem Talaat Al-Hout (15 years old)
7. Haytham Akram Fayez Abu Nakera

Sunday, 16 January 2005

1. Abdelraouf Awda Abu Namouss
2. Fadda Attiya Abu Arram
3. Abdullah Abu Arram

Monday, 17 January 2005

1. Nidal Abdelhakim Najib Sadek
2. Ahmed Mahmoud Ashour